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83-5432

GRAVEL & BRADY

711 WASHINGTON STREET

POST OFFICE BOX 1792

ALEXANDRIA, LOUISIANA

ZIP CODE 71301 TELEPHONE (318) 487-4501

CAMILLE F. GRAVEL, JR.

JAMES J. BRADY

MICHAEL S. BAER III

HELEN G. ROBERTS

ANNA E. DOW

SUSAN M. THEISEN

September 26, 1983

BATON ROUGE OFFICE
780 NORTH STREET
POST OFFICE BOX 44071
BATON ROUGE, LOUISIANA 70804
TELEPHONE (504) 346-0600

The Honorable Francis Lorson
Clerk, United States Supreme Court
No. 1 First Street N.E.
Washington D. C. 20543

RE: Timothy George Baldwin v. Ross Maggio, Warden
No. 83-5432

RECEIVED
SEP 27 1983
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Dear Mr. Lorson:

Enclosed please find a copy of the court's order
setting the execution date of Timothy Baldwin
for Thursday morning, October 6, 1983, between
the hours of midnight and 3:00 a.m.

With best regards,

GRAVEL & BRADY

Helen G. Roberts

Helen G. Roberts

HGR/dp
enclosure

NO. 38 292

STATE OF LOUISIANA

VERSUS

TIMOTHY GEORGE BALDWIN

FILED: September 26, 1983BY: Marion N. Landis
DEPUTY CLERK OF COURT

83-5432

WARRANT FOR EXECUTION OF PERSON CONDEMNED

TO: HON. JOHN KING, Secretary
LOUISIANA DEPARTMENT OF CORRECTIONS
POST OFFICE BOX 44304
BATON ROUGE, LOUISIANA 70804-44304

WHEREAS, it appears from the annexed duly certified copy of the indictment, verdict, sentence, judgment of the Supreme Court of Louisiana, affirming the sentence of death, orders of the Supreme Court of the United States, denying petitions for writ of certiorari and rehearing, opinion and judgment of the United States District Court for the Western District of Louisiana denying stay of execution, application for writ of habeas corpus and dissolving the temporary stay of execution, and opinion of the United States Court of Appeals Fifth Circuit, affirming the judgment of the United States District Court and mandate denying petition for rehearing and suggestion for rehearing En Banc, that at a session of the Honorable, the Fourth Judicial District Court for the Parish of Ouachita, State of Louisiana, and held beginning on the 24th day of July, 1978, Timothy George Baldwin was convicted on the 28th day of July, 1978 of the crime of First Degree Murder of Mary James Peters, in violation of La. R.S. 14:30, and that on the 28th day of July, 1978, the jury unanimously recommended that said defendant be sentenced to death and unanimously found the following aggravating circumstances, to-wit: "The offender was engaged in the perpetration or attempted perpetration of armed robbery" and "The offense was committed in an especially heinous, atrocious or cruel manner"; and that in accordance with the said recommendation of the jury, His Honor, John R. Joyce, of said Court, sentenced the said Timothy George Baldwin to death on the 5th day of September, 1978; and that said conviction and said sentence of death was finally affirmed by the Supreme Court of Louisiana and a rehearing was denied; and that the Supreme Court of the United States has denied defendant's petition for writ of certiorari, and a rehearing

has been denied; the United States District Court for the Western District of Louisiana, Monroe Division, has denied defendant's application for habeas corpus; the United States Court of Appeals, Fifth Circuit has denied petitioner's application for writ of habeas corpus, his petition for rehearing and suggestion for rehearing En Banc. On March 1, 1982, defendant filed an application for petition of certiorari with the United States Supreme Court. On April 26, 1982, said petition for relief was denied, and all stays vacated. On May 7, 1982, John R. Joyce, Judge of the Fourth Judicial District Court, signed a Warrant for Execution of Person Condemned. On May 17, 1982 Judge Joyce denied defendant's Application for Post Conviction Relief and Stay of Execution. On May 18, 1982, the Supreme Court of Louisiana likewise denied defendant's Application for Post Conviction Relief and Stay of Execution. Defendant applied for a Writ of Habeas Corpus in the United States District Court for the Western District of Louisiana, Monroe Division. This was denied on May 20, 1982. Defendant's Petition for Writ of Habeas Corpus was considered by the United States Court of Appeals, Fifth Circuit. This Petition was denied on May 16, 1983. On June 23, 1983, a Per Curiam opinion denied defendant's Petition for Rehearing and Suggestion for Rehearing En Banc. On September 1, 1983, the Fifth Circuit Court of Appeals denied defendant's request for a Stay of Execution Pending Filing of a Petition for Certiorari. All stays have been vacated.

NOW, THEREFORE, I, JOHN R. JOYCE, Judge of the Fourth Judicial District Court, being the court of original jurisdiction, and in accordance with La. R.S. 15:567, do hereby direct and command you to cause the execution of Timothy George Baldwin, the condemned in this case, in the manner provided by law. You shall cause the condemned, TIMOTHY GEORGE BALDWIN, to be put to death on October 6, 1983, between the hours of 12:00 Midnight and 3:00 O'Clock A.M., and you shall follow all of the requirements and requisites of the law in carrying out this execution.

A certified copy of this Death Warrant shall be mailed by the Clerk of Court of the Parish of Ouachita, to the Governor of the State of Louisiana, return receipt requested, and the return receipt shall be filed in the record of these proceedings upon its return to the said Clerk of Court.

THUS DONE, RENDERED, READ AND SIGNED in the City of Monroe, Parish of Ouachita, State of Louisiana, on this 26 day of September, 1983.

TRUE COPY

Wm. A. [Signature]
BY CLERK OF COURT
OUACHITA PARISH, LA

1st John R. Joyce
HONORABLE JOHN R. JOYCE, DISTRICT JUDGE